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SUBJECT: Hesse to Deport Afghan Hate Preacher

Ref: Berlin 562

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1. (SBU) SUMMARY: The German state of Hesse has initiated deportation proceedings against Mr. Said Khobaib Sadat (DPOB 1 January 1959 in Logar, Afghanistan), an Afghan imam living in Offenbach, near Frankfurt, for reportedly being a "hate-preacher," a crime under the immigration law that went into effect 1/1/2005 (reftel). Sadat is also alleged to have ties to Afghanistan's Gulbuddin Hekmatyar. Sadat disputes the allegations and has appealed the expulsion order. German courts could rule on the case in the coming days. END SUMMARY.

2. (SBU) On August 10, Hesse Interior Minister Volker Bouffier (CDU-Christian Democrats) announced that the state intends to deport Mr. Sadat. According to press reports, authorities have been monitoring the activities of Sadat, a preacher at the Pak Dar Ul Islam Mosque in Frankfurt, since at least 2003. The mosque is co-located with the Bangladesh Islamic Mosque at the same address.

A Hate Preacher to Be Taken Seriously

3. (SBU) The state Office for the Protection of the Constitution (LfV), which monitors extremists, documented a number of "hate-sermons" Sadat delivered in 2002 and 2003. Press reports claim he routinely advocated violence in his sermons. On July 29, Sadat urged followers to "not fear death" and "defend our faith against non-believers even if it means dying for it as martyrs." Additionally, he preached, "today all of us must defend Islam together against enemy forces--with every means, even with death." Sadat also allegedly conveyed messages from Gulbuddin Hekmatyar. Sadat is suspected of having ties to pro-Taliban forces in Afghanistan. The German media portray Sadat as a charismatic speaker who appeals to young Muslims and new converts. Hesse LfV President Lutz Irrgang described him publicly as a "hate-preacher to be taken very seriously."

4. (U) Sadat has resided in Germany since 1991. He had enjoyed protection from removal proceedings due to the situation then prevailing in Afghanistan but no longer does, according to authorities, paving the way for deportation. NOTE: Germany has determined that conditions in Afghanistan are such that involuntarily returning Afghans to their homeland is now possible. END NOTE.

"Dear God, Destroy them All"

5. (SBU) A spokesperson for the Frankfurt prosecutor's office described the case as complex, noting that Sadat's sermons often took the form of a prayer calling on Allah - rather than fellow Muslims - to punish "non-believers," raising the question of whether he was actually engaging in incitement. During sermons delivered between 2001 and 2003 Sadat is reported to have preached:

"Death to the Americans, death to the English."

"If these people do not leave (us) alone, then cripple their legs. Dear God, cripple their hands . . . make their wives into widows . . . let their kids become orphans. Dear God, let their families be destroyed."

"Dear God, destroy and punish all those who do not want peace in Afghanistan. Dear God, destroy them all."

6. (SBU) Another legal problem concerns his referring to potential future events in Afghanistan (rather than Germany), again making it difficult under German law to convict him of incitement of people in Germany. In addition, Sadat is married and has six children, four of whom were born in Germany. This could further complicate deportation proceedings should Sadat seek a stay on humanitarian grounds.

Lost in Translation?

17. (SBU) Sadat rejects allegations that he has ties to the Taliban or Al-Qaida. He also denies close and ongoing contact with Hekmatyar, claiming the relationship dates back to the Soviet occupation of Afghanistan--a time when, according to Sadat, Hekmatyar enjoyed U.S. support. Sadat admits to a "friendly" telephone conversation with Hekmatyar in April 2001 but denies any subsequent contact. Arguing his case is merely one of misunderstanding, Sadat claims his sermons were incorrectly translated and misconstrued. Sadat's claim is contradicted, however, by some members of a mosque where Sadat previously preached. They claim his extremely radical views led to his dismissal from that position. Sadat has appealed his deportation order to a lower court in Offenbach; the court could rule in the coming days. Under German law, Sadat must remain in Offenbach until the courts rule.

18. (U) This cable was coordinated with Embassy Berlin.

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